

REMARKS

Claims 2-6, 8 and 18-21 are pending. By this Amendment, claims 5, 8 and 21 are amended and claim 7 is canceled. Support for the amendments can be found in the specification and in the claims as originally filed. In particular, the subject matter of cancelled claim 7 has been incorporated into claim 5. Further, claims 8 and 21 were amended to correct typographical errors and to depend from pending claims. No new matter is added.

Entry of this Amendment is proper under 37 C.F.R. § 1.116 since this Amendment: (a) places the application in condition for allowance for reasons discussed herein; (b) does not raise any new issue regarding further search and/or consideration since the Amendment amplifies issues previously discussed throughout prosecution; (c) does not present any additional claims without canceling a corresponding number of finally-rejected claims and (d) places the application in better form for appeal, should an appeal be necessary. Entry of the Amendment is thus respectfully requested.

Applicants thank the Examiner for indicating that claims 2-4 and 18-21 are allowed and that claim 7 would be allowable if rewritten in independent form.

Claims 5-6 and 8 are rejected under 35 U.S.C. § 102(b) as being anticipated by Miller (U.S. Patent No. 3,741,431) or Nishihara (Japanese Patent App. No. 08-325276). These rejections are traversed.

Applicants respectfully submit that this rejection has been overcome by the above amendments to independent claim 5, incorporating the allowable subject matter of claim 7. As noted by the Examiner, “[n]one of Miller and Nishihara teaches or fairly suggests the specific R⁸ set forth in claim 7” (Office Action, page 3, third full paragraph).

As neither Miller nor Nishihara disclose all of the elements of claim 5, claim 5 is not anticipated by either Miller or Nishihara. Further, dependent claims 6 and 8 are patentable for at least the same reasons. Thus, Applicants respectfully request reconsideration and withdrawal of the rejections of claims 5-6 and 8 under 35 U.S.C. §102(b) as being anticipated by Miller or Nishihara.

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding rejections, allowance of claims 2-6, 8 and 18-21, and the prompt issuance of a Notice of Allowability are respectfully solicited. If this application is not in condition for allowance, the Examiner is requested to contact the undersigned at the telephone listed below.

In the event this paper is not considered to be timely filed, Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 100021-00065**.

Respectfully submitted,

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